

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited in view of the foregoing amendments and the following remarks.

Claims 30, 32 through 35, 37, 40, 41, and 44 are pending, with Claims 30, 35, and 44 being independent. Claims 1 through 29, 31, 36, 38, 39, 42, and 43 have been cancelled without prejudice. Claims 30, 32 through 35, 37, 40, and 41 have been amended. Claim 44 has been added. Support for the claims amendment can be found in the original disclosure, for example in boxes 902 and 903 of Figure 33 and the accompany description in the specification. In addition, the attached clean and marked-up copies of a substitute specification amend the specification to improve its form.

Claims 1 through 43 are rejected under 35 U.S.C. § 102(e) over U.S. Patent Publication No. 2003/0200289 A1 (Kemp, et al.). (The Office Action cites 35 U.S.C. § 102(b) as being the basis of the rejection, but it appears that 35 U.S.C. § 102(e) was intended, since Kemp, et al. was published on October 23, 2003, which is not more than one year before the subject application's February 19, 2004 U.S. filing date). Claims 12 and 24 are rejected under 35 U.S.C. § 103 over Kemp, et al. in view of U.S. Patent No. 6,607,314 B1 (McCannon, et al.).

In response, while not conceding the propriety of the rejections, independent Claims 30 and 35 have been amended and Claims 1 through 29, 31, 36, 38, 39, 42, and 43 have been cancelled without prejudice. Applicant submits that as amended, independent Claims 30 and 35 are allowable for the following reasons.

Claim 30 relates to a remote install method for a program in a network system. Claim 30 recites that the method comprises an acquisition step.

Claim 30 has been amended to recite that the acquisition step acquires printer information on a certain printer provided in a network. Claim 30 has also been amended to recite a specifying step of specifying an extended function program which can drive the printer, using the printer information acquired in the acquisition step, a displaying step of displaying (a) information indicating the extended function program specified in the specifying step, (b) an instruction section on which an installation instruction of the extended function program can be activated, and (c) information identifying the printer, and a sending step of sending the extended function program to a client apparatus in response to activation of the installation instruction on the instruction section displayed in the displaying step.

In contrast, the citation to Kemp, et al. is not understood to disclose or suggest a displaying step of displaying (a) information indicating the extended function program specified in the specifying step, (b) an instruction section on which an installation instruction of the extended function program can be activated, and (c) information identifying the printer, or a sending step of sending the extended function program to a client apparatus in response to activation of the installation instruction on the instruction section displayed in the displaying step, as recited by amended Claim 30. Rather, the Kemp, et al. citation is understood to merely disclose a server which displays information on client apparatuses and printers on its display unit, and in response to a user's selection of one of the client apparatuses and one of the printers, sends a driver for the selected printer to the selected client apparatus.

Since amended Claim 30 recites at least one feature not understood to be disclosed or suggested by the Kemp, et al. citation, Applicant submits that the Office has

not yet satisfied its burden of proof to establish anticipation of this claim over this citation. Therefore, Applicant respectfully requests that the rejection of amended Claim 30 be withdrawn. And because corresponding apparatus Claim 35 has been amended in a corresponding manner, Applicant respectfully requests that the rejection of amended Claim 35 be withdrawn. In addition, because newly-added Claim 44 is a corresponding medium claim, Applicant submits that this claim is also allowable over the Kemp, et al. citation for corresponding reasons.

The dependent claims are allowable for the reasons given for the independent claims and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicant's undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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